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Chairman: Mr. KUKAN (Slovakia)

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AGENDA ITEM 113: REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS (continued) (A/48/12 and Add.1, A/48/64, 91, 134, 181, 184, A/48/207-S/25936, A/48/294-S/26247, A/48/299-S/26261, A/48/308-S/26295, A/48/391 and 44)

1. Mr. ABIBI (Congo) said that the ending of the cold war had produced new ideologies of violence which had brought the question of refugees to the fore. But on thing remained unchanged: the main victims still came from the most vulnerable civilian groups. And once again Africa found itself in the front rank of the affected continents. In its humanitarian action the international community was being severely tested by the magnitude of the problem. The Congo paid a tribute to the men and women committed to easing the suffering of so many other human beings.

2. The Congo was familiar with the phenomenon of refugees both as a country of refuge and as a victim. Despite its limited economic capacity it had taken in a large number of refugees and had established a national committee for assistance to refugees which worked with the Office of the United Nations High Commissioner for Refugees (UNHCR). The basic strategy was to ensure the integration of the refugees into Congolese society, and many of them had been recruited into the civil service. Congo also kept watch on the situation in the countries of origin with a view to the voluntary repatriation of the refugees: most of the exiles from Chad, the Central African Republic and other countries had returned home to work for the consolidation of democracy.

3. Following the events of July 1993, the Congo itself was now grappling with the problem of caring for some 15,000 persons displaced as a result of the systematic violence and destruction perpetrated by armed bands supported by the opposition. The Government was endeavouring to meet their essential needs and reintegrate them into society, but owing to the economic situation the problem could not be fully solved. It therefore appealed once again to the international community for emergency assistance.

4. Mr. TELLO (Mexico) noted that despite United Nations efforts an increasing number of people had had to flee their countries owing to the political readjustments following the ending of the cold war and to the economic stagnation in a large number of States. The figure of 18.9 million refugees cited in the UNHCR report (A/48/12 and Add.1) was alarming. In the case of refugees from armed conflicts, the emergency assistance provided by UNHCR had become fundamental. In other areas the Office was supporting programmes for return which required the backing of the international community if the refugees were to be reintegrated into their own countries. The Office's three-pronged strategy had proved an effective mechanism for international action and the efforts made in prevention, emergency preparedness and relief had enhanced the Office's response capacity.

(Mr. Tello, Mexico)

5. Regional efforts had certainly contributed to the success of the work of UNHCR. The International Conference on Central American Refugees (CIREFCA) offered an example of the effectiveness of innovative solutions. The CIREFCA Concerted Plan of Action had been born of the desire of the countries of the region to find concerted solutions involving all the persons and parties concerned. Some $240 million had been contributed to 153 projects, and the backing of UNHCR had been invaluable. The Programme of Action was to end in May 1994, even though some challenges remained. The "human rights-refugees-development" was the key, for a lasting solution required economic recovery and social reconciliation. The post-CIREFCA phase would therefore have to concentrate on peace and the promotion of human development, in which international cooperation would remain fundamental. In September 1993 the CIREFCA Follow-Up Committee had agreed to transform the Conference into a regional human rights initiative.

6. The immediate challenge was to ensure adequate protection of the increasing number of refugees, accompanied by respect for their human rights and for the principle of non-refoulement. The tendency in some countries to modify the international legal concept of refugee through the enactment of domestic laws was worrying. The political solution of conflicts and enhanced world stability must be the central objectives of the international community in responding to the aspirations of the millions of refugees.

7. Mr. GRUBMAYR (Austria) said that the remarkable results achieved by UNHCR were due in part to the cooperation of other United Nations agencies and programmes, the International Committee of the Red Cross (ICRC) and intergovernmental organizations such as the International Organization for Migration (IOM).

8. The world's refugee population of some 19 million, together with the even larger number of people displaced within their own countries, had become a major challenge for the international community. The World Conference on Human Rights, held in Vienna in June 1993, had paid particular attention to the refugee crisis and acknowledged the need for a comprehensive approach, including strategies to address the root causes. The High Commissioner had repeatedly drawn attention to the relationship between refugee protection and the search for durable solutions within the context of human rights protection. Austria endorsed that view and supported the High Commissioner's call for integrated approaches. Abuse of human rights was an important cause of the refugee problem, but economic imbalances and poverty in the countries of origin must also be addressed.

9. Since the needs of the large numbers of internally displaced persons were no less compelling than those of refugees, Austria had encouraged the Commission on Human Rights to tackle the problem. The representative of the Secretary-General on internally displaced persons had already submitted a study and had been mandated to continue his work. Austria agreed with the High Commissioner that it was not for her to seek a global mandate for such a difficult problem, but a pragmatic approach might be required in certain situations.

(Mr. Grubmayr, Austria)

10. The worsening situations in Africa were also a cause for concern, as were recent developments in the States of the former Soviet Union. Austria noted the High Commissioner's concern about the precariousness of massive repatriation, and the situation in Cambodia was a case in point following the successful repatriation of hundreds of thousands of refugees. Cambodia would also be seen as a test case of post-conflict peace-building. Humanitarian assistance required coordination among many different agencies, and in that context Austria welcomed the new Memorandum of Understanding between South Africa and UNHCR on the repatriation of refugees.

11. Refugees from armed conflicts, human rights violations or economic deprivation did not always find a safe haven in other countries, where they might suffer serious abuse. Austria therefore endorsed the views on the personal security of refugees adopted by the Executive Committee of the High Commissioner's Programme.

12. If large-scale starvation was to be avoided in the former Yugoslavia, safe and unhindered access to the innocent victims of the tragic conflict was of the highest priority. From the outset of the refugee crisis there, Austria had funded an extensive humanitarian-assistance programme, contributing a total of some $280 million from public and private funds. That included over $50 million in contributions from individuals, permitting the dispatch of 44,000 tons of food, medicine and other basic products to all parts of the former Yugoslavia, particularly Bosnia and Herzegovina. Austria also accepted wounded and handicapped patients from Bosnia and Herzegovina for treatment in Austria under the auspices of UNHCR and the International Organization for Migration (IOM). Having absorbed a disproportionately large share of Bosnian refugees, Austria expected UNHCR to provide in the future for a more equal distribution of the burden. It intended, however, to continue its humanitarian assistance to the former Yugoslavia and would shortly announce new cash contributions to UNHCR and ICRC.

13. Austria, among other countries, was encountering a mounting number of applications for asylum. In the interests of prompt and efficient protection of genuine refugees, a clearer distinction needed to be drawn between refugees (as defined by the 1951 Convention relating to the Status of Refugees) and other population movements. Lastly, it was essential that the international community should find ways and means to protect personnel involved in refugee protection. Many of whom were exposed to grave risks.

14. Ms. STRÖM (Sweden) said that both emergency measures and humanitarian programmes must complement political initiatives aimed at tackling root causes. Humanitarian efforts must, however, always be guided by humanitarian needs and must remain non-political and impartial. Furthermore, distinctions were not easily drawn between refugees, internally displaced persons, returnees, and the local population in conflict areas; to treat differently those who suffered under like circumstances was morally questionable and ran counter to international humanitarian law.

15. Although Sweden agreed in essence with the High Commissioner's approach to the elaboration of guidelines for dealing with the problem of refugees, it felt that areas of responsibility should be more precisely delineated: firstly, the

(Ms. Ström, Sweden)

State's obligation to protect basic human rights must be borne in mind in situations of forced migration and repatriation; secondly, UNHCR should not bear exclusive responsibility for the problem of internal displacements, which should rather be shared by a wide spectrum of United Nations agencies; thirdly, fund-raising should begin with the creation of a data-gathering system on internally displaced persons within the framework of the United Nations system, as suggested by Sweden at the February 1993 session of the Commission on Human Rights, and reiterated by the European Community at the 1993 summer session of the Economic and Social Council. As events in the former Yugoslavia had demonstrated, humanitarian presence could not alone curb human rights violations but must be combined with efforts to resolve the underlying conflict.

16. The best solution to any refugee problem was, of course, voluntary repatriation. Peace-keeping and confidence-building measures adopted jointly between the country of asylum and the country of origin were the basis for durable solutions and should be combined with humanitarian and development assistance. A broad approach would ideally cover the whole span from prevention to long-term development, and focus on regions likely to generate refugee flows. In tandem with Governments and regional organizations, the United Nations system should explore means of arriving at integrated solutions to the problems of forced migration. The International Conference on Central American Refugees (CIREFCA) process stood as a successful example of a regional inter-agency approach, and demonstrated both that voluntary repatriation was a transnational problem and that UNHCR could play a pivotal role in the reintegration of returnees.

17. The Department for Humanitarian Affairs and the Inter-Agency Standing Committee should consider its main task to ensure that the expertise and experience that had evolved from that process was applied to other regions as well. Indeed, the summer 1993 session of the Economic and Social Council had highlighted the pivotal role of the Inter-Agency Standing Committee. All United Nations agencies, in accordance with commitments made at the Advisory Committee for the Coordination of Information Systems should work towards making that Committee an effective structure for coordinating emergency programmes.

18. Any initial solution to coping with a refugee flow should be regional, and should be based on the principles of protection, assistance to refugees and to the host country, and repatriation as soon as circumstances permitted. Irregular migration from countries within regions where protection had been secured should be curbed, as such movements tended to overload asylum procedures and constituted a threat to the institution of asylum as such. Lastly, flexibility, efficiency and professional management must be the guiding characteristics of a strong UNHCR.

19. Mrs. PILOTO (Zimbabwe) said that the current refugee problem was an outgrowth of the political climate that had emerged with the end of the cold war, and would continue to plague society until sustainable political stability had been achieved. Under such circumstances, the importance of the work of UNHCR could not be over-emphasized. Furthermore, faced with shattered infrastructures and economies depleted by the channelling of resources to war efforts, UNHCR had found itself obliged to become involved in development

(Mrs. Piloto, Zimbabwe)

projects. She also noted that UNHCR personnel often operated in dangerous conditions, and were target of snipers and warring factions.

20. Without the assistance of UNHCR, Zimbabwe, which hosted a number of groups of refugees, could not have handled the mammoth task of coping with that complex problem. By improving water supplies, and rehabilitating schools, clinics and other facilities, UNHCR was grappling with a problem far more complex than simply that of assisting refugees and internally displaced persons. The innovative cross-mandate and cross-border approaches that UNHCR had tried within and along the borders of various African countries deserved wide support. Resentment and stigmatization were among the many problems experienced by refugees, and efforts should be made to educate local populations, especially in host countries, with regard to the plight of such peoples.

21. Her delegation agreed that, while humanitarian assistance could help to alleviate the refugee problem, durable solutions depended on a political settlement. Short-term humanitarian assistance should be coupled with long-term development strategies. Since only peaceful conditions could rid the world of its refugee problems, all Governments should accord serious consideration to the Agenda for Peace drafted by the Secretary-General.

22. Her delegation strongly disagreed with the High Commissioner's contention that improved coordination among the humanitarian agencies would allow for a more rational use of resources and more efficient management, and exhorted Governments to contribute their share to that common effort. During the era of ideological polarization, relief agencies had had to fight for their survival as organizations, at times even against Governments that were attempting to starve out their alleged opponents. Food must not be used as a political weapon either by administering Governments or by contributors to humanitarian funds.

23. In the view of Zimbabwe, the international mass media was doing a disservice to UNHCR and to the other humanitarian agencies by focusing on graphic images of suffering. The local and international mass media should endeavour to present a balanced picture in their coverage. The United Nations could, of course, adopt a strong public relations policy, and launch a publicity campaign of its own in the interests of presenting a balanced picture. Since such an approach would cut into resources desperately needed for programmes, another option might be to undertake initiatives in cooperation with sympathetic media organizations.

24. Mr. LIU Zhenmin (China) said that he supported the efforts of UNHCR and other United Nations bodies to bring about a speedy solution to the refugee problem. The international community should endeavour to eliminate the root causes of refugee flows. A lasting solution must be based on both a peaceful environment and sound economic conditions. His delegation hoped that UNHCR would strengthen its cooperation with relevant United Nations bodies and development agencies in order to achieve such a solution.

25. China sympathized with the developing countries that had long been admitting large numbers of refugees and hoped that the international community would take the necessary action to provide assistance. The occurrence of new refugee problems should not divert attention from old ones. He commended the

(Mr. Liu Zhenmin, China)

efforts of the international community to manage and prevent new flows of refugees and displaced persons. In the light of the latter group's different status, special attention must be given to devising a system for assisting and protecting internally displaced persons. Coordination among the relevant humanitarian bodies should be further strengthened in order to find the most appropriate ways of assisting them. His delegation had taken note of the Office's serious concern over violations of the principle of non-refoulement in various regions and hoped that the countries concerned would change their policies and safeguard the institution of asylum. Solving the refugee problem was a common obligation of the international community and required coordinated action by countries of asylum, receiving countries, countries of origin and donor countries. The best solution was for the countries concerned to conduct negotiations with the assistance of UNHCR in order to enable refugees to return to their homes in safety and dignity.

26. China hoped that UNHCR would continue to maintain the non-political and humanitarian character of its activities, which was the fundamental guarantee for the smooth operation of humanitarian activities throughout the world. The international community must pay greater attention to the refugee problem in Africa, where one third of the world's refugees were found, and increase assistance in that connection. China commended the fruitful work carried out by the High Commissioner and highly appreciated her contribution to efforts to solve the refugee problem in the regions concerned. Over the years, China had participated in humanitarian activities aimed at assisting refugees and had supported the work of UNHCR. In spite of its many economic difficulties, China had received and settled nearly 300,000 refugees in the spirit of humanitarianism and had provided assistance to refugees in other regions through bilateral and multilateral channels. His country was committed to continuing to help solve the world-wide refugee problem.

27. Archbishop MARTINO (Observer for the Holy See) expressed extreme concern about the never-ending phenomenon of refugees and displaced persons in the world. The commendable successes in the voluntary repatriation of refugees in some parts of the world were overshadowed by increasing flows of refugees and displaced persons in others. The magnitude of the phenomenon was straining not only the efforts of the international agencies - first and foremost UNHCR - but also the ability and good will of many countries of asylum, placing considerable burdens on their economies and undermining their social stability through increased xenophobia. Some measures adopted recently by a number of countries reflected a tendency to turn inwards and avoid the need to re-examine and possibly curtail a wasteful and selfish style of living.

28. His delegation shared the view that the refugee problem was inextricably linked to the issue of human rights. Human rights violations were a major cause of refugee flows and a major obstacle to the solution of refugee problems through voluntary repatriation. He noted with satisfaction the steps taken to establish stronger links between refugee and human rights questions and to integrate United Nations operations aimed at solving the problem of refugees and displaced persons. The Holy See continued to stress not only the rights of refugees in seeking asylum and returning home safely, but also their antecedent fundamental right to remain where they were, which meant the right to life, liberty, security, non-discrimination, privacy and family life.

(Archbishop Martino, Observer, Holy See)

29. The Church sought to do its utmost in providing the spiritual and social support necessary to create a climate of mutual understanding in preventing displacement and promoting greater hospitality towards those forced to seek asylum. At the same time, it was directly involved on a very large scale in bringing assistance to millions of refugees, displaced persons and migrants. As one example, from 1 January 1992 to 20 September 1993 Caritas Internationalis had provided the suffering people of Bosnia and Herzegovina with aid in food and basic relief items, medicine, agricultural equipment, and assistance to refugees and victims of sexual violence, amounting to almost $130 million. Lastly, the Holy See renewed its appeal to all Governments and people of good will to increase their support for activities aimed at helping refugees in all parts of the world.

30. Mr. SUPANDY (Indonesia) said that humanitarian aid must be linked to long-term development if the root causes of emergency situations were to be addressed. He agreed that the various United Nations agencies should draw on their unique mandates and comparative advantages in order to devise comprehensive and innovative approaches.

31. He welcomed the considerable progress achieved in the context of the International Conference on Central American Refugees (CIREFCA) and agreed that there was an urgent need to focus on Africa, which had approximately one third of the world's refugees. Concerning South-East Asia, although the refugee-status determination or screening procedures had been completed in Indonesia, more progress was required in repatriating those screened out. His country hoped that countries of resettlement would honour their commitment to accelerate the implementation of the Comprehensive Plan of Action for Indo-Chinese Refugees (CPA). Similarly, repatriation for screened-out persons needed to be further expedited. Thus, a mechanism needed to be established for an orderly repatriation programme and endowed with the necessary financing.

32. The Cambodian operation undertaken by the United Nations, despite difficulties, underlined the value of system-wide cooperation and coordination in creating the necessary conditions for repatriation and for facilitating voluntary repatriation. Concerning assistance activities, his delegation welcomed UNHCR efforts to strengthen its emergency response capacity, given the burgeoning world refugee population.

33. Indonesia had always upheld the rights of asylum, the principle of non-refoulement and the right of return. It was, however, concerned that the spirit of the 1951 Geneva Convention relating to the Status of Refugees was being distorted by an increasing number of people migrating for solely economic gain, thus creating an unfair burden on and responsibility for the recipient States and undermining the status of those with legitimate claims to asylum.

34. Mr. AKPLOGAN (Benin) said that massive numbers of people were being displaced every day by civil wars and ethnic, tribal or religious strife. In Africa, in particular, that phenomenon was hampering socio-economic development and recovery. The number of refugees in West Africa was currently well over 1 million. Benin itself was providing asylum to over 100,000 Togolese

(Mr. Akplogan, Benin)

nationals. In that connection, he thanked international agencies and friendly Governments for their support of the assistance programme for Togolese refugees.

35. While humanitarian assistance was important, the best long-term solution would be to seek a political settlement of the conflicts, ensure the full enjoyment of human rights and eliminate the poverty that afflicted three quarters of the Earth's inhabitants. In that connection, the considerable efforts made by the United Nations, the Organization of African Unity and the Economic Community of West African States (ECOWAS) towards the peaceful settlement of the Liberian civil war had led to the signing in July 1993 of the Cotonou Peace Agreement and the adoption by the Security Council of resolution 866 (1993) on the establishment of the United Nations Observer Mission in Liberia (UNOMIL). However, Benin was concerned that more financing was allocated to United Nations peace-keeping operations than to humanitarian assistance and long-term development.

36. It was regrettable that measures taken by United Nations agencies and donor countries to provide assistance to refugees still fell considerably short of requirements especially since over a third of the world's refugees were in Africa. UNHCR must review its priorities and special programmes for Africa, to which should be allocated more resources. Those programmes and the action of donor countries must take into account the need to strengthen the capacities of host countries in the third world that were sacrificing some of their limited resources to discharge their duty of solidarity. They deserved encouragement and support.

37. Mr. SCOTT (Permanent Observer for the International Organization for Migration (IOM)) said that, at a time of ever more complex and compelling challenges in respect of refugees and migrants, the international system's ability to respond to humanitarian needs effectively was being tested every day. Since the crises often went beyond the mandate of any single agency, his organization supported the notion of coordination of responsibility based on the strengths of individual agencies.

38. In that connection, IOM cooperated with UNHCR in such crucial areas as the resettlement and voluntary repatriation of refugees, where the complementarity of their efforts to work towards a durable solution had been highly successful. UNHCR and IOM had developed joint programmes to inform potential migrants, in particular those from Eastern Europe and the former Soviet Union, regarding opportunities abroad. They had also carried out joint training programmes for officials of the newly independent States on the legal issues involved in migration and refugee affairs. In the former Yugoslavia, IOM and UNHCR were collaborating in a special programme that provided victims of the conflict with free medical treatment abroad. IOM was committed to building further on the complementarity of the two organizations.

The meeting rose at 12.10 p.m.